

SUMMARY ANALYSIS OF AMENDED BILL

Author: Spitzer Analyst: Deborah Barrett Bill Number: AB 2928
 Related Bills: See Prior Analysis Telephone: 845-4301 Amended Date: August 11, 2008
 Attorney: Patrick Kusiak Sponsor: _____

SUBJECT: California Department Of Corrections To Contract With FTB For Collection Of
 Restitution Orders Owed By Prisoners

DEPARTMENT AMENDMENTS ACCEPTED. Amendments reflect suggestions of previous
 analysis of bill as introduced/amended _____.

AMENDMENTS IMPACT REVENUE. A new revenue estimate is provided.

AMENDMENTS DID NOT RESOLVE THE DEPARTMENTS CONCERNS stated in the
 previous analysis of bill as introduced/amended _____.

FURTHER AMENDMENTS NECESSARY.

DEPARTMENT POSITION CHANGED TO _____.

REMAINDER OF PREVIOUS ANALYSIS OF BILL AS AMENDED

X August 4, 2008, STILL APPLIES.

OTHER – See comments below.

SUMMARY

This bill would authorize the California Department of Corrections and Rehabilitation (CDCR) to refer restitution orders owed by persons who are or have been under CDCR jurisdiction to the Franchise Tax Board (FTB) for collection.

SUMMARY OF AMENDMENTS

The August 11, 2008, amendments would authorize the agency that refers debts to FTB for collection to add an administrative fee to the amounts to be collected. The "This Bill" discussion is revised. The remainder of the department's analysis of the bill as amended August 4, 2008, still applies.

POSITION

Pending.

Board Position:

_____ S _____ NA _____ NP
 _____ SA _____ O _____ NAR
 _____ N _____ OUA _____ X PENDING

Legislative Director

Date

Brian Putler

8/21/08

THIS BILL

This bill would authorize CDCR to refer restitution orders owed by persons who are or have been under CDCR jurisdiction to FTB for collection. The person to whom restitution is ordered may decline CDCR's assistance to collect the amount. This bill would provide that in addition to existing amounts authorized to be added to amounts owed, a court, a county, or the state may include an administrative fee in the amounts referred to FTB for collection.

FTB would use existing court ordered debt authority to collect the restitution orders in the same manner and using the same tools as used in the collection of tax debts. FTB's costs for collection would be reimbursed from the amounts collected. The balance of the collected amounts would be remitted to CDCR for distribution to the person owed the restitution order.

LEGISLATIVE STAFF CONTACT

Legislative Analyst
Deborah Barrett
(916) 845-4301

deborah.barrett@ftb.ca.gov

Revenue Manager
Rebecca Schlussler
(916) 845-5986

rebecca.schlussler@ftb.ca.gov

Legislative Director
Brian Putler
(916) 845-6333

brian.putler@ftb.ca.gov